

**SUPREME COURT MINUTES
FRIDAY, OCTOBER 17, 1997
SAN FRANCISCO, CALIFORNIA**

- 4th Dist. Ivan Spiers et al., Petitioners
G022274 v.
Div. 3 Orange County Superior Court, Respondent
S065107 Harvey Garte et al., Real Parties in Interest
Application for stay and petition for review DENIED.
- S057272 People, Petitioner
v.
San Francisco County Superior Court, Respondent
Althor Cain et al., Real Parties in Interest
-
- S052136 Christopher Evans Hubbard, Petitioner
v.
Santa Clara County Superior Court, Respondent
People, Real Party in Interest
On application of the PEOPLE and good cause appearing, it is ordered that the time to serve and file a single response brief to the Supplemental Brief in HUBBART and the Reply Brief in CAIN, is extended to and including October 28, 1997.
- S057084 People, Respondent
v.
Justin Paul et al., Appellants
On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including November 14, 1997.
- S058027 People, Respondent
v.
Jose Luis Mendoza et al., Appellants
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including November 17, 1997.

S058577 In re Gideon Dwayne Glover
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response to the petition for writ of habeas corpus is extended to and including November 17, 1997.

No further extensions of time are contemplated.

S060370 Richard Green, Appellant
 v.
 Ralee Engineering Company, Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's reply brief on the merits is extended to and including November 17, 1997.

S011425 People, Respondent
 v.
 Ronald Harold Seaton, Appellant

Permission granted to appellant to file oversized reply brief.

S025122 People, Respondent
 v.
 Deondre Arthur Staten, Appellant

The application of appellant for permission to file a late opening brief and relief from default is granted.

S065077 Arthur Van Swait, Petitioner
 v.
 Department of Corrections, Respondent

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

S033998 In the Matter of the Suspension of Attorneys
 Pursuant to Rule 962 California Rules of Court

JUAN J. FALCON, #177400, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified

by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **JUAN J. FALCON, #177400**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **November 15, 1997**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S033998

In the Matter of the Suspension of Attorneys

Pursuant to Rule 962 California Rules of Court

BRIAN J. STONE, #132872, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **BRIAN J. STONE, #132872**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **November 15, 1997**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all

rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S063452 In re **Kevin Reid Richards** on Discipline

It is ordered that **Kevin Reid Richards** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended until he provides satisfactory proof to the State Bar Probation Unit that he has passed the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners and successfully completed the State Bar's Ethics School seminar. If the period of actual suspension should continue for more than two years, he shall remain actually suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed February 25, 1997, as amended by its order filed April 8, 1997. If the period of actual suspension should exceeds 90 days, Respondent shall comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs payable in accordance with section 6140.7 are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

*(See Business & Professions Code, § 6126, subd. (c).)

S063453 In re **David B. Murray** on Discipline

It is ordered that **David B. Murray** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for one year and until he makes restitution to plaintiff's counsel in the sum of \$3500 and to the County of Los Angeles in the sum of \$1000 as ordered in

Meyers-Ballard v. Meschnark, LASC Case No. PC012302, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed May 29, 1997. If the period of actual suspension reaches or exceeds two years, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)